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# Public Notice

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Public Notice No. 03 – 12    Date: February 18, 2003

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Nashville District

Application No. 4282900

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Please address all comments to:  
Nashville District Corps of Engineers, Regulatory Branch  
3701 Bell Road, Nashville, TN 37214 (Attn: Lisa Morris)

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JOINT PUBLIC NOTICE  
US ARMY CORPS OF ENGINEERS  
TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Permit Modification to Add Fleeting to the Calvert City Terminal  
(Atofina Chemicals Site)

TO ALL CONCERNED: The project described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the 1899 Rivers and Harbors Act**. The applicant is also required to obtain a 26a permit from the Tennessee Valley Authority (TVA) for the proposed work.

APPLICANT: Calvert City Terminal (previously known as Bailey Port, Inc.)  
P.O. Box 1290  
Calvert City, Kentucky 42029

LOCATION: Tennessee River Mile 14.5, Left Bank, Marshall County, KY. USGS Map: Little Cypress-KY. LAT: 37-03-15 LONG: 88-23-16. See Sheet 1, Location Map and Navigation Chart No. 3.

DESCRIPTION: On July 8, 2002, a DA permit was issued to Bailey Port, Inc. for a barge loading facility at TRM 14.0, left bank, with fleeting on the right bank (TRM 13.7 to 15.2). Public Notice 02-03, dated January 31, 2002, advertised the work. Since then, the permit for this facility was transferred to Southern Coal Handling Company. This new facility has been named Calvert City Terminal (CCT).

At this time, CCT proposes to modify the DA permit to add additional fleeting upstream and adjacent to the barge loading facility, on the left bank. CCT just leased about 2,200 feet of river frontage from Atofina Chemicals, Inc. and proposes to install ten (10' x 10' concrete) deadman anchors in the riverbank to allow for fleeting of 40 barges @ 4 barges wide, as shown on Sheets 2 and 3, not to extend more than 190 feet into the river from the bank. Additionally, they would construct two typical three-pod dolphins at the northern end of the area to aide in guiding barges into the terminal. According to the applicant, there are adequate water depths in the area of the proposed work and dredging would not be required. The scope of work for this action is the affected riverbank and the associated fleeting area. Plans of the proposed work are attached to this notice.

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The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources.

The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historical properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

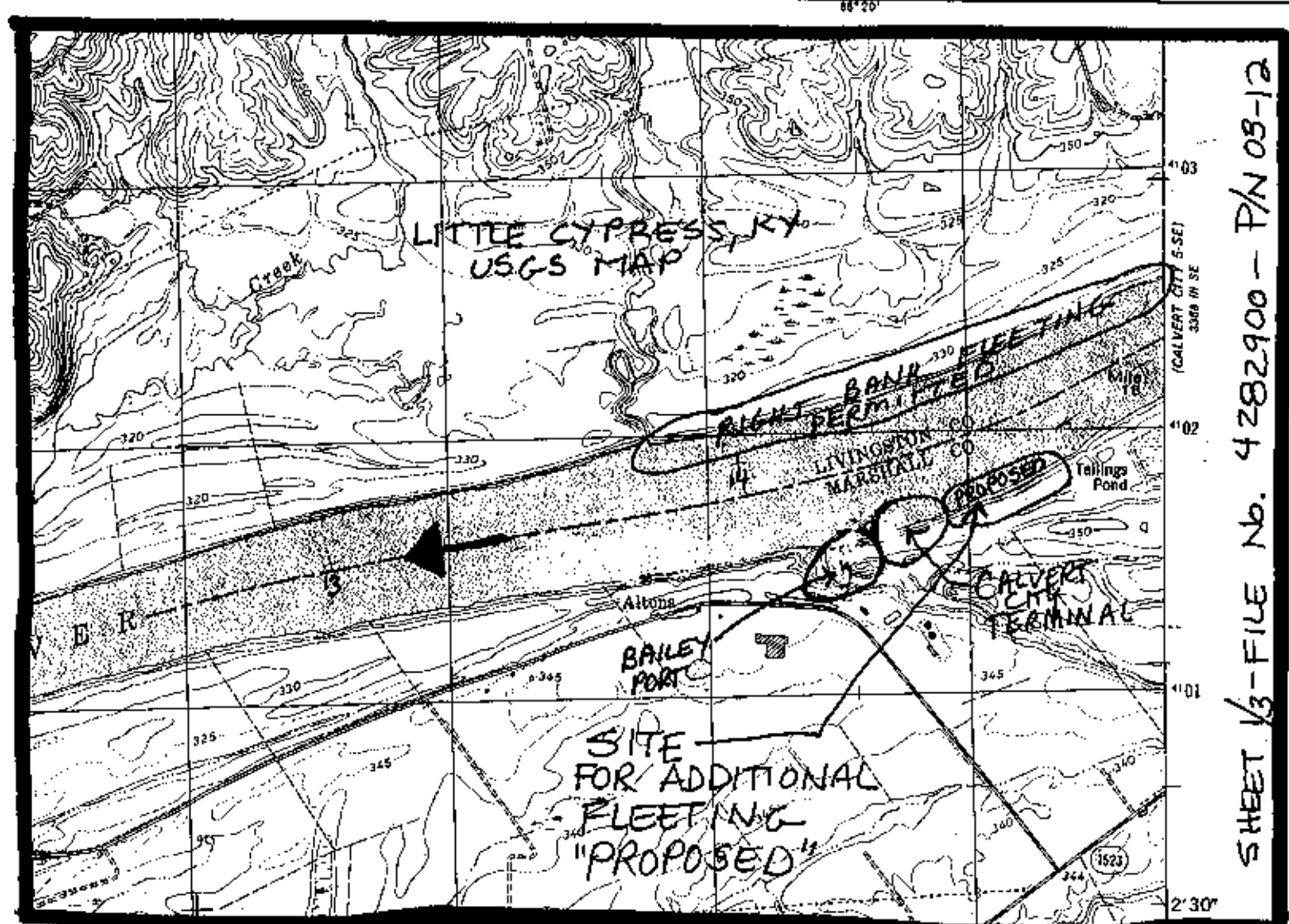
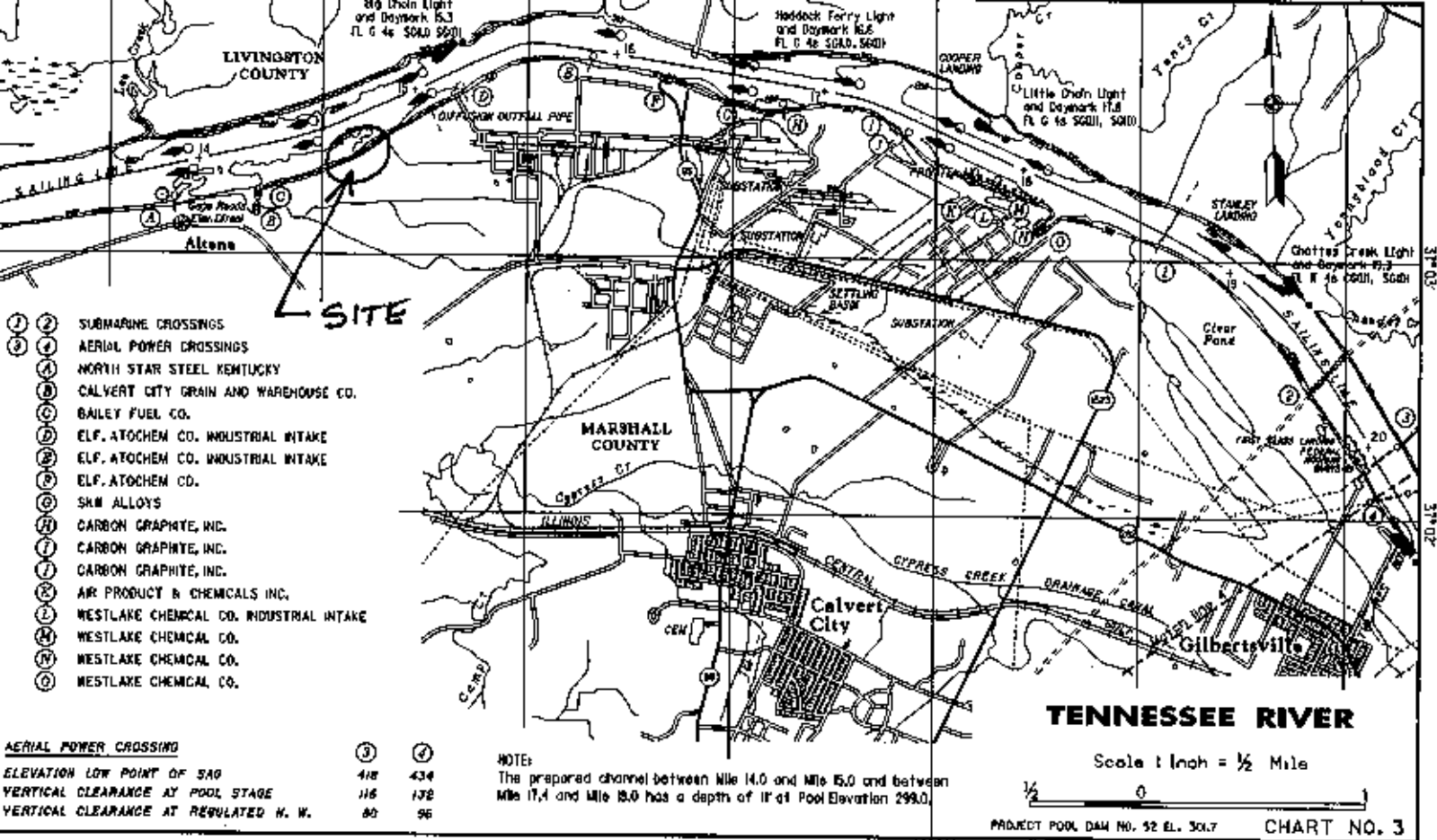
A Supplement to the original Corps of Engineers and TVA Environmental Assessment will be prepared prior to a final decision concerning issuance or denial of the requested DA permit.

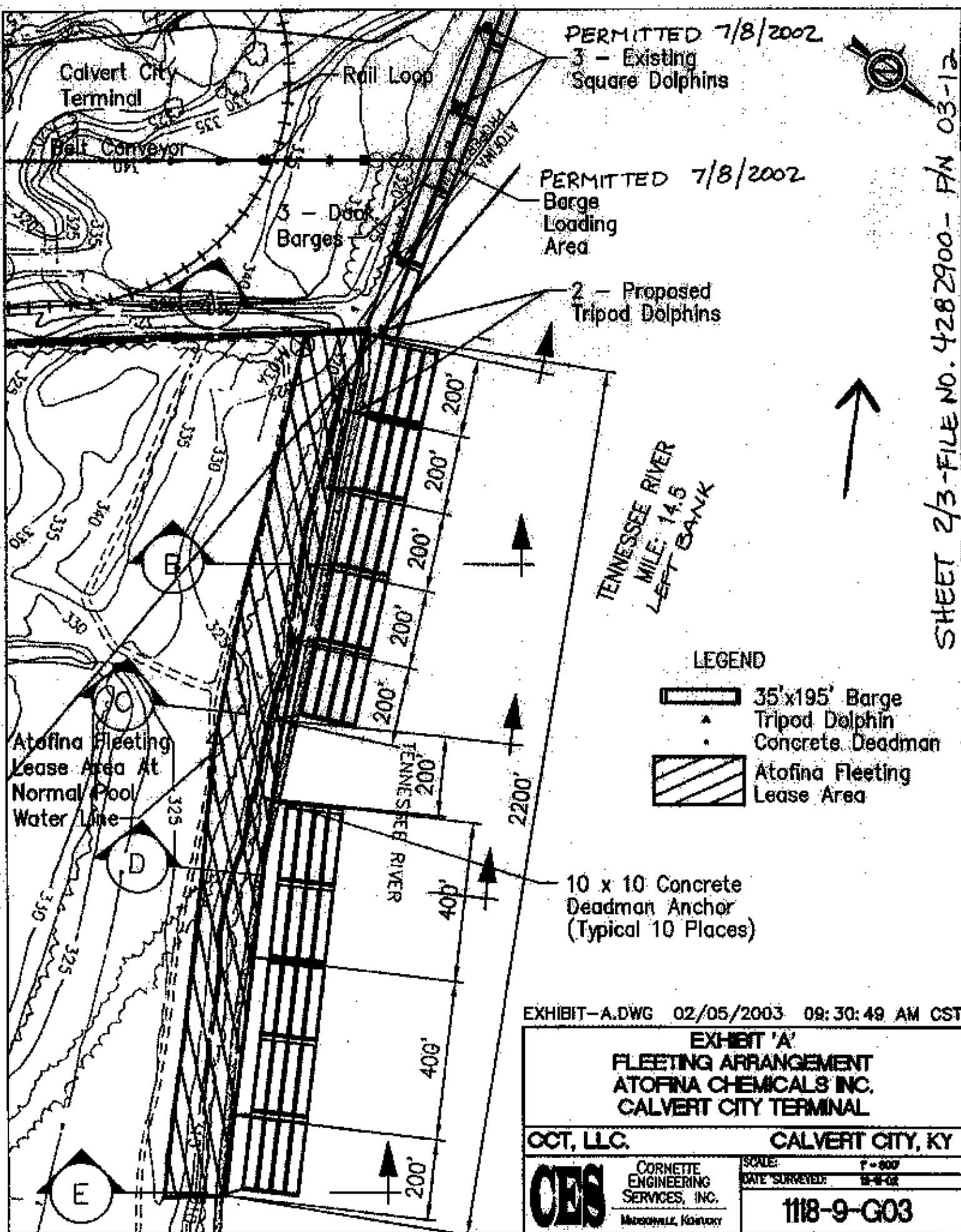
No archaeological resources were revealed in the cultural resource survey prepared for the barge terminal property and right bank fleeing areas. The National Register of Historic Places has been consulted for this action and no properties listed or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resource investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the state historic preservation officer and the U.S. Department of the Interior, National Park Service, Interagency Archaeological Services-Atlanta.

No federally-listed threatened or endangered species or their habitats were discovered in the mussel survey conducted for the left bank barge terminal and right bank fleeing areas, previously permitted. The proposed work will not destroy or endanger any federally-listed, threatened, or endangered species or their critical habitats, as identified under the Endangered Species Act; therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

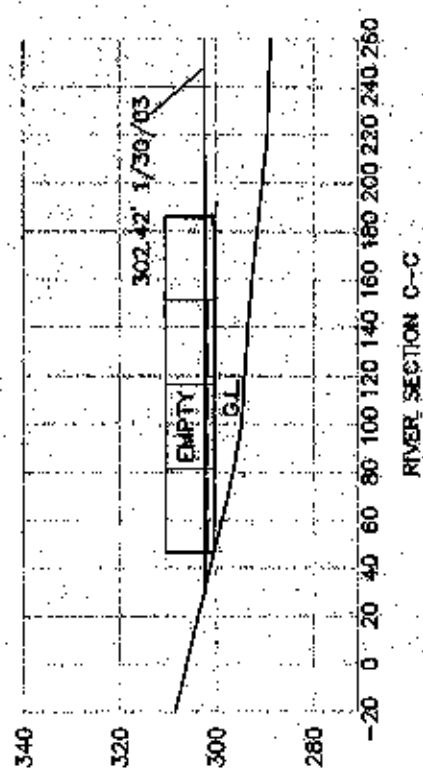
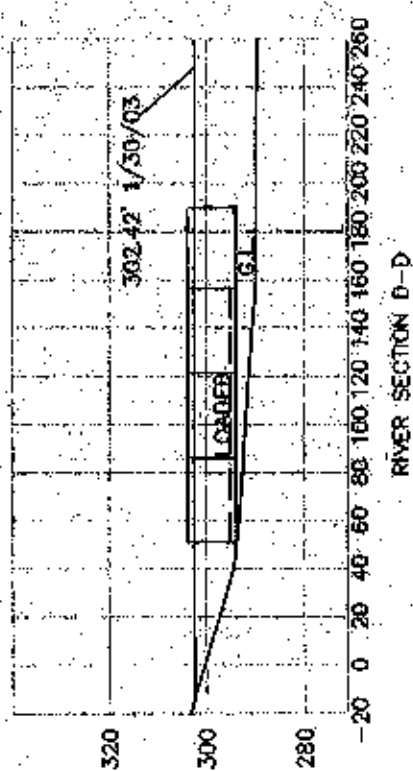
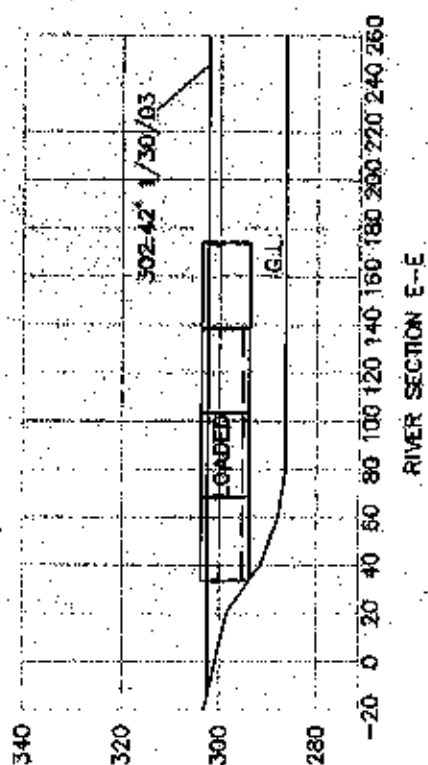
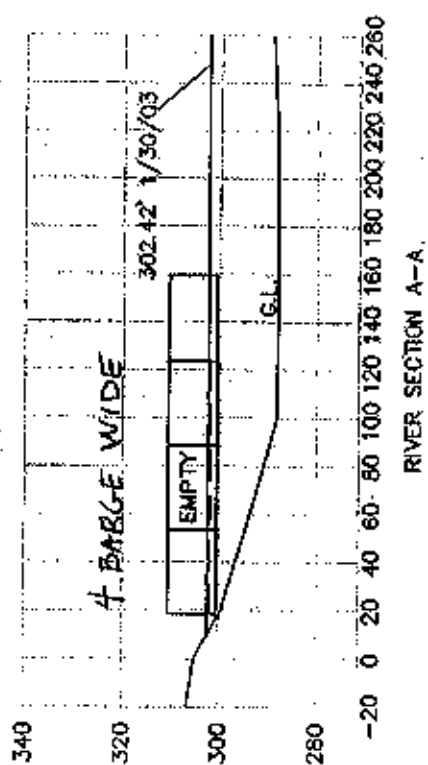
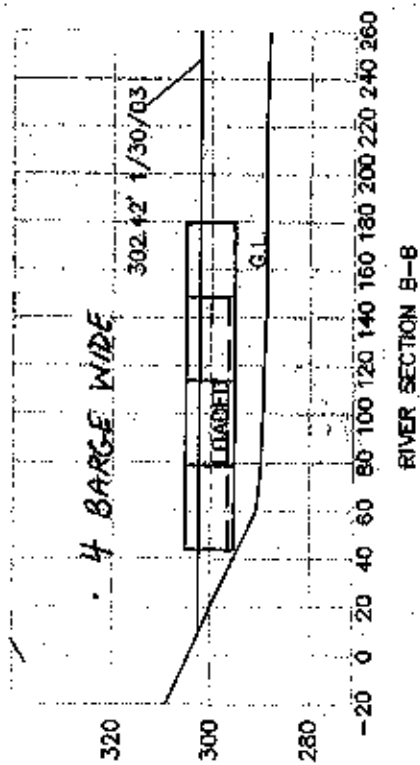
Other federal, state, and/or local approvals may be required for the proposed work.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Written statements received in this office on or before **March 20, 2003**, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Lisa R. Morris, at the above address, telephone (615) 369-7504. All comments received will be provided to TVA. If you wish to send comments to TVA they should be directed to Ms. Rachel Terrell at P.O. Box 280, Paris, TN 38242-4061.





SHEET 2/3-FILE NO. 4282900- PN 03-12



SHEET 3/3  
FILE NO. 4282900  
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